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HEADLINE: HEARING OF THE HOUSE COMMITTEE ON GOVERNMENT REFORM SUBJECT: TRANSFORMING THE NATIONAL GUARD: RESOURCING FOR READINESS

CHAired BY: REPRESENTATIVE TOM DAVIS (R-VA)

WITNESSES PANEL II: PAUL MCHALE, ASSISTANT SECRETARY OF DEFENSE FOR HOMELAND SECURITY, U.S. DEPARTMENT OF DEFENSE; THOMAS F. HALL, ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS, U.S. DEPARTMENT OF DEFENSE;

LIEUTENANT GENERAL H. STEVEN BLUM, CHIEF, NATIONAL GUARD BUREAU; MAJOR GENERAL JOHN A. LOVE, SPECIAL ASSISTANT TO COMBATANT COMMANDER FOR NATIONAL GUARD AFFAIRS, U.S. NORTHERN COMMAND

LOCATION: 2154 RAYBURN HOUSE OFFICE BUILDING, WASHINGTON, D.C.

TIME: 10:00 A.M.

BODY:

REP. TOM DAVIS (R-VA): We have today the Honorable Paul McHale, assistant secretary of Defense for Homeland Defense and a former member of this body. Paul, welcome back in a different role here, but it's good to have you here. The Honorable Thomas F. Hall, the assistant secretary of Defense for Reserve Affairs; Lieutenant General H. Steven Blum, the chief of the National Guard Bureau; and Major General John Love, the special assistant to the combatant commander for National Guard Affairs, United States Northern Command.

It's the policy of this committee that all witnesses be sworn before you testify, so if you would rise and raise your right hand. Do you solemnly swear that the testimony you're about to give will be the truth, the whole truth and nothing but the truth. Thank you very much.

Members deferred opening statements. I'm just going to put my statement in the record — I ask unanimous consent members put their statements in the record.

Let me recognize Mr. Schrock. Do you want to wait now or do you want to wait until I start questioning with you? We'll go through panel and then I'll start with Mr. Schrock's question.

Paul — I guess Mr. Secretary now — welcome back. It's good to have you here and I know you've worked hard on this, thanks for being here.

MR. PAUL MCHALE: Mr. Chairman, it's good to be back.

Mr. Chairman, distinguished members of the committee, it is an honor and a privilege to appear before this body. To be entrusted with national security responsibilities at any time, but especially at this point in our country's history, is a solemn and sacred duty. From past experience I fully appreciate and respect your oversight obligations pursuant to Article 1, Section 8 of the Constitution, although I have to tell you it's a little more challenging on this side of the table than it was when I sat up there and asked the questions.

My goal today is to provide the committee with a candid, accurate assessment of our current homeland defense capabilities and to describe emerging DOD mission requirements with particular emphasis on Reserve component capabilities. Because I have submitted my formal testimony for the record I would like to provide only a brief introduction at this point and thereafter allow maximum time for member questions.

I appear before you today in my capacity as assistant secretary of Defense for Homeland Defense. My creation was

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created by public law 107-314, the National Defense Authorization Act of 2003. The statutory duty assigned to the assistant secretary of Defense for Homeland Defense is, quote, "The overall supervision of the homeland defense activities of the department." End of quote. I was nominated by President Bush in January 2003 and confirmed by the Senate one month later. As a result, I have been serving in this office for just a little over a year. In the interim, much has happened.

Although my written testimony focuses in some detail upon the organizational changes within the Department of Defense following the attack of September 11th, 2001, I think the members of this committee are primarily interested in the recent steps we have taken to ensure the physical safety of our citizens, their property and our constitutional freedoms. The painful losses of September 11th produced not only grief but resolute action.

Each day since September 11th the men and women of the North American Aerospace Defense Command, NORAD, have patrolled the airspace over Canada and the United States. In a completely integrated effort of U.S. and Canadian capabilities, the United States Air Force, Air Force Reserve and Air Guard have protected the skies over major metropolitan areas, critical infrastructure, government facilities, and historic monuments. These dedicated professionals have executed over 34,000 air defense sorties and responded to over 1,700 requests from the Federal Aviation Administration to intercept potential air threats. That is an extraordinary achievement.

In Fiscal Year 2004 alone, the Air National Guard has flown 1,909 sorties and logged 6,926 hours to guard our nation's skies. The number of flights and their location changes daily and each day's flight data shared in advance with the Department of Homeland Security. This level of air security is unprecedented in our nation's history. Nearly every homeland defense exercise that we now conduct includes a threat scenario involving a terrorist takeover of a commercial airliner. As a result, our air defense training is realistic, focused and subject to well understood rules of engagement.

We have implemented similar improvements in our domestic land defense capabilities. While fully recognizing that domestic counterterrorism is a lead law enforcement mission, we now have active duty soldiers and Marines on alert every hour of every day prepared to deploy to any location within the United States where a land defense against a terrorist attack might be required. Such quick reaction forces did not exist on September 11th, 2001. They do now, and they are both trained and ready.

Even more importantly, we are working closely with the National Guard Bureau to ensure that Army Guard forces will be mission ready to provide immediate land security forces within their own states. In my judgment, the protection of critical infrastructure will likely become a core National Guard mission during the next decade. It is also important to note that DOD has recently been assigned with the signing of Homeland Security Presidential Directive 7 an important responsibility in the protection of the defense industrial base. The achievement of this new mission will require close coordination of private and public, military and civilian security capabilities. The task is both enormous and essential.

We now recognize that a 21st Century maritime defense requires a common operation picture of the maritime domain, real time tracking of threat vessels, appropriate ships and resources to support maritime intercept operations on the high seas against terrorists potentially armed with weapons of mass destruction, and command and control structure which maximizes both Navy and Coast Guard capabilities. Our goal is to defeat every enemy maritime threat with an integrated layered defense, long before such threats are able to enter our ports.

To that end, Secretary of Defense Rumsfeld recently signed an expanded Maritime Intercept Operations Execute Order. Through realistic maritime exercises and unprecedented Navy/Coast Guard cooperation, we are making daily progress with that goal.

Similar improvements have been made with regard to DOD's ability to support civilian authorities following a terrorist attack. Thirty-two National Guard weapons of mass destruction civil support teams have been trained, equipped and certified by the secretary of Defense. Twelve new teams will be created this year. We are planning to establish a total of 55 civil support teams, sufficient to ensure that every state and territory will be served by a team. If a more substantial WMD response is required, we have established, equipped and organized large joint task forces at disbursed locations throughout the United States, sufficient to ensure that we will be able to respond to multiple, near simultaneous terrorist attacks involving weapons of mass destruction. Although this capability is not developed, we are working hard and with a sense of urgency to get there. In my view, multiple simultaneous attacks are not only possible, they are consistent with terrorist operational doctrine.

Even in the absence of a large scale enemy attack, the Department of Defense civil support responsibility is substantial. During the past year DOD acted on 75 separate civil support requests from more than 20 civilian agencies including the

January 4th deployment of the Marine Corps' Chemical Biological Incident Response Force to the Dirksen Building when ricin was detected in Senator Frist's office. That mission was executed at the request of the Capitol Police.

And finally, we at DOD recognize that an effective defense against terrorist activity requires a close daily partnership between our department and the newly created Department of Homeland Security. Our missions are complementary and mutually reinforcing. To make certain that partnership is a reality, employees from my office now work full-time in the Homeland Security Operations Center. A Defense Coordination Officer has been established by DOD personnel at DHS. A memorandum of agreement for mutual support has been negotiated between the two departments and I meet routinely and regularly with senior DHS leadership, including a one hour meeting yesterday with Admiral Jim Loy, the deputy secretary. Our homeland security and homeland defense exercise programs have now been fully integrated. The scenarios are challenging and involve complete interagency participation.

Mr. Chairman, this summary should make it clear that the Department of Defense, working with our partners in the public and private sectors at the local, state and national levels, is fully committed to the most capable homeland defense ever planned or executed in our country's history. Despite great progress we are not comfortable. We are not satisfied. Rather, we are dedicated with a real sense of urgency to ever improving homeland defense capabilities. In that effort, our men and women in uniform stand in common cause with the members of this committee. Victory in the global war on terrorism is a national imperative: our generation's greatest challenge.

Mr. Chairman, I look forward to your questions and those of the members of the committee.

REP. DAVIS: Thank you very much.

Mr. Hall. Thanks for being with us.

MR. THOMAS F. HALL: Thank you, Chairman, and thank you for the opportunity to be here and speak to the committee.

I'm pleased to be here today with my colleague, Paul McHale, and with Generals Blum and Love to discuss the role of the National Guard in overseas and homeland operations. Our Guard and Reserve make up 46 percent of our military or some 1.2 million service members. Since 9/11 we've mobilized a total of 340,000 service members. This equates to 40 percent of our force and it's the largest mobilization since Korea. Today, as we meet, there are over 165,000 Reserve and Guard members who are mobilized.

Although 60 percent of our Reserve force has not been touched, we share everyone's concerns about the same thing, and that's the stress on our force. Just as the active force is the first to deploy in support of U.S. operations abroad, the National Guard is often the first military force to deploy in support of most homeland security requirements. National Guard is a citizen-soldier force that can be activated by the governor in support of state emergencies and also federalized to support national contingency requirements. A governor can employ the National Guard under state active duty or upon approval of the secretary of Defense, in Title 32, of the U.S. Code. National Guard can of course be also federalized under the provisions of Title 10 U.S. Code.

This unique triple status makes the National Guard a cost effective, flexible force that can be employed in a variety of circumstances. The Guard's capability was demonstrated in the aftermath of the September 11th attacks. Immediately after the attacks, as we have heard and know, the National Guard responded. National Guard forces took to the skies to guard our airspace and local Guard forces were rapidly sent to the World Trade Center and the Pentagon to assist with security and recovery efforts. Shortly thereafter the president asked the governors to use their Guardsmen to secure our airports at federal expenses. They responded in a matter of hours by deploying their Guardsmen in Title 32 status at over 440 airports. In addition, many of our governors ordered their Guardsmen in state active duty to secure critical infrastructure facilities such as bridges, power plants, and government buildings. Many of those state security missions continue today.

Our National Guard personnel were activated in 12 states under Title 10 to augment security along our nation's borders. Their missions ensure that the commerce continued to flow while the vital entryways were protected. Today there are over 100,000 Air and Army National Guardsmen and women mobilized in support of Operations Noble Eagle, Enduring Freedom and Iraqi Freedom. They are flying air patrols, performing force protection duties here in the United States, flying fueling missions over Central Asia, and are on the ground in both Iraq and Afghanistan. As expected, the National Guard conducted — continues to conduct all missions in an exceptional manner.

The fight against terrorism and the protection of our homeland will be protracted endeavors, much like the Cold War. To that end, many outside policy experts, independent panels and local studies have advocated expanding roles for the National Guard in homeland security. Some have even suggested that the National Guard should be reoriented, re-equipped, and retrained solely for the homeland security mission. The reality is that there has been no recent national security change that justifies the need to establish a separate role for the National Guard to perform homeland security related missions under new statutes and administrative guidelines. There are already sufficient legal mechanisms in place that enable state and territorial governors to employ their National Guard forces in support of local authorities to meet a wide range of existing missions. The National Guard is an integral part of the Air Force and Army total force mission capability. Their roles are vital to the survival of this nation. The position of the Department of Defense is that the National Guard will remain a dual-missioned military force.

This concludes my statement. Thank you very much, Chair.

REP. DAVIS: Thank you, Mike, very much.

General Blum.

GEN. H. STEVEN BLUM: Good morning, Chairman Davis and other members of the committee. Thank you for the opportunity to address this body this morning and I ask that my written testimony be entered into the record.

REP. DAVIS: Without objection.

GEN. BLUM: As we appear here this morning before you, there are 149,000 citizen soldiers and airmen deployed all over the globe in the current global war on terrorism. And for the last two and a half years since 9/11, the National Guard has maintained and sustained that level of contribution to the warfight, both here at home and abroad. The National Guard is no longer questioned about its relevance. Today our worst critics can only call us overused or essential to the safety and security of our nation.

The modern-day National Guard has been in the homeland defense business now for 367 years. Our homeland defense efforts actually predate us as a nation.

We plan to remain in that effort and we call that job one or priority number one. But defending the homeland is not always done only here at home. Some of that homeland defense has to be conducted — to use a sports analogy — as an away game or the scheduled away game that you see us participating with our active duty counterparts and the other Reserve components in a joint, multinational, interagency and intergovernmental effort overseas in Iraq, Afghanistan, Kosovo, Bosnia and other places in the world.

We have to change the National Guard however because it is not exactly optimized for the current threat that we're facing right now and future threats that we foresee on the horizon. As a modern-day National Guard we can answer no notice calls by our governors to respond to catastrophic events created by either Mother Nature, man-made accidents or acts of terrorism here at home. But we have to change the National Guard in the way we train it, organize it and, most importantly, the way we resource it so that it can be an operational Reserve force that can be used in a joint and expeditionary overseas warfight and supplement our active components when necessary. We are not structured correctly to do that today and we are working very hard to move as fast as we can, with a great sense of urgency, to become a relevant, ready, reliable and accessible force that is needed by our combatant commanders around the world.

The Congress' National Guard and Reserve Equipment Account will remain a very essential tool in helping us accomplish this effort. As you have heard Governor Pataki say and the two previous secretaries that have testified before me, in their opening statements, I am proud to tell you that the National Guard has met every requirement that it has been asked to perform since 9/11 and even before that. Service in the National Guard has always been honorable but it is particularly rewarding today because we are truly defending our nation, our way of life, our liberties, our form of government and our future, and we're very proud to stand and answer the call to colors to do that.

But to do this I have to tell you we are committed to transformation or changing the Guard from what it was designed to do to what it needs to be designed to be today. We are transforming the Guard today to be a more joint and effective organization from the very top to the very bottom, building it from the bottom up — and that's the essence of the standing joint force headquarters that were described by Governor Pataki and the secretaries. And we are developing capabilities that will be needed to defend the homeland security efforts here at home and to support combatant commanders overseas in the warfight outside of our nation's borders.

We want to give better predictability to our soldiers, to their families, to their employers, as you heard discussed earlier. And we've built the model for this that we think will accomplish a better predictability model and soldiers, their families, their employees will know on a more routine basis when they can expect to be called, how long they can be expected to be employed and when they will return home, and then how soon again they will be asked to answer the call to colors for another extended duration deployment. We are meeting the needs of our elected officials and our uniformed leaders. We are meeting the mandate to operate as a seamless organization that can perform both the state mission and the federal mission and do them simultaneously if necessary, and to be able to do this is in a joint, interagency, intergovernmental and multinational environment if required.

Your National Guard is focusing so that it ensures that every governor and every combatant commander gets the right force mix from the National Guard. And the right kinds of units with the right kinds of capabilities, modern equipment, that are interoperable and beyond interoperable are actually interchangeable parts with their active components, whether it be Air Force or Army, Air National Guard or Army National Guard. And that we need to redistribute these capabilities so that they are resident in every state and territory of this great nation. We are transforming along with the Army and the Air Force. This is not an independent effort. We are shoulder-to-shoulder on this. There is not daylight between the National Guard and the active components as once existed.

The Army recognizes that there are 18 divisions in the United States Army: ten on active duty, eight in the National Guard. The United States Army hopes to grow to 84 brigades; 34 of these brigades will be resident in the Army National Guard. We are similarly full partners with the United States Air Force and their initiatives to modernize and transform and develop modularity so that the Air National Guard and the Army National Guard can truly be plug and play elements of their active duty counterparts.

Bottom line is your National Guard is committed to doing what is right for the United States of America. I look forward to answering your questions, thank you.

REP. DAVIS: Thank you very much.

General Love?

GEN. JOHN A. LOVE: Mr. Chairman, distinguished members of the committee, on behalf of General Eberhart and the men and women of U.S. Northern Command, thank you for the opportunity to be here to discuss the National Guard's role in the vital issues of homeland defense and homeland security.

As you've heard from Secretary McHale, Secretary Hall and Lieutenant General Blum, every Department of Defense office and headquarters charged with defending our homeland has looked very carefully at the role the National Guard should play in deterring and preventing attacks on our homeland and mitigating any attacks that might occur.

The National Guard Bureau under the guidance and direction of General Blum has begun a number of what I believe to be critical initiatives to respond to the realities of our post-9/11 world. Historically the National Guard headquarters in each state has largely acted to fulfill the services needs to organize, train and equip airmen and soldiers to fight our nation's war somewhere other than in our homeland. It was always an additional mission to provide Guardsmen to meet the needs of their states in responding to natural disasters. That response seldom called for skills other than those wartime training had already provided. All of our assumptions regarding the use of our Cold War force in Reserve were predicated upon the United States having and retaining the initiative as to where to fight and when to fight.

This is not the case in the global war on terrorism. We no longer have the initiative and we must be prepared to respond anywhere within our homeland, knowing that any delay in that response may mean the loss of lives, and those are American lives. The National Guard is forward deployed in 3,300 locations across our nation and wherever a terrorist attack may occur, it is likely that the National Guard will be the first military force on the scene. The response to a terrorist attack will not be analogous to the response to a flood. It will require specialized training and equipment as well as a unique command and control structure that is responsive to the realities of a WMD attack.

By any measure, this change is truly transformational. The National Guard headquarters in each state must now deal not only with its historic roles of organize, train and equip and deploy, it must now be an operational headquarters that provides not only a response to a crisis in their state, but provides NORTHCOM and the nation with a clear picture of what has happened and what is needed to save lives and property. We must examine closely the statutory authorities under which the National Guard responds to an attack in our homeland and how best it may be utilized to prevent those attacks.

We at NORTHCOM are looking closely at changes that may be necessary in Title 32 of the U.S. Code. We believe that certain circumstances may dictate that National Guard units should perform homeland defense or homeland security duties in a federal status other than Title 10. It may be far more effective for the Guard to remain under the command of the governor of a state as opposed to being federalized and placed under the command of NORTHCOM. Guardsmen know the local territory, know the local first responders, exercise with those who will be engaged on the part of the state emergency response system, and under Title 32, utilization, can be accessed far more quickly.

Response in our homeland is all about speed. We cannot wait for help from afar if there is help close at hand. We must train and equip that help so that it can offer the kind of assistance that is needed and so that it can do so with proper training and equipment. If the mission is a Federal mission, we must find a way to budget for that mission and make those funds available to a governor to pay his or her guardsmen.

Of course, states must assure the Congress that its appropriations are being used as it directs, but that's not a complicated undertaking.

The Guard performs counter-drug missions in a similar manner, and that program has worked well for 15 years. The war on terrorism demands that we look for innovative ways to utilize those forces that are closest to any crisis. That said, is it not really innovative at all. The National Guard has been responding to crises in their communities for more than 367 years, since 1636 when the Massachusetts militia mustered in December of that year in Salem.

Mr. Chairman, thank you for the opportunity to testify today, and thank you and your colleagues for your continued commitment to armed forces.

REP. DAVIS: Thank you very much, I thank the panel for their testimony and we're going to into questioning.

I'm going to start first with the gentleman from Indiana, Mr. Souder.

REP. MARK E. SOUDER (R-IN): Thank you, Mr. Chairman. I first want to make sure I get a couple of comments on the record, if we have to get the answers written, I'd appreciate it.

First, I want to thank Secretary McHale for his comments on narcotics. It's impossible to do that task without the assistance of the Department of Defense on JTF6. There is an inter-relationship where the training of our Guard and Reserve and military component is absolutely essential to our South border, if we're long-term going to protect our homeland security on the South border. I mean, right now a million people are making it across, that's why we need immigration reform, we need a number of things. The bottom line is that we are not secure at all there, and without your help it would be inconceivable even to do it.

I want to raise again, and we need your particular help, we've raised this with the Department of Defense, in the Barry Goldwater Range, in the southwest part of Arizona, we have a problem with air — we don't have aerostat protection, we have high yield monitoring that can fit in, but we need low level. U.S. Customs which is not under homeland security wants to fly planes there in a five mile radius like they do the rest of our border, but have not because it's an Air Force training range. But the jets shouldn't be that close to the international border anyway, or we have a problem.

We need to get this worked out, we've repeatedly been told well, oh, we're working on it. But we need a solution because what's going to happen is we squeeze other parts of the border, the illegals, not to mention narcotic trafficking, is going to push into that range and the first one that gets killed, you have — are going to endanger your entire training facilities there. We have got to secure that portion of the border, not only for other reasons for the United States, but for even keeping our range open, and we really need your help on the Air Force range.

But I thank you for raising the narcotics issue. I want to mention a couple of other things and then if the chairman — with the chairman's indulgence, maybe you can raise it. I have heard from the Guard and from the manufacturer that the Humvees that the Guard takes over to Iraq are being left there because of shortages of Humvees, and I want to know if this is true, because it's going to long term impact our training with Guard people in the states, if we're having to leave the Humvees in Iraq. And if it's true, which we have heard from a number of different people in a number of different places, then are you requesting more Humvees for Guard Reserve training?

Secondly, I was pleased to hear that we're trying to get better at communicating to our groups, long-term, whether they're going to be deployed again, not only the first time. But I want to raise a couple of questions. My understanding is that 60 percent have not been utilized. A logical question would be before others go back, will that 60 percent be utilized? Or are we talking about some of these units didn't get 100 percent utilized and the 60 percent of the Guard that hasn't been

utilized, in fact, may be in that unit, and if that unit's called up they might not be utilized again.

In other words, I just had a group that's been forward deployed with seven hundred army guards in Fort Wayne, Indiana, that was a specially trained battalion. Are we adequately communicating, will that group be called up again because of its special training? I have a reserve group that is going over to Afghanistan in about — they may already be in flight, it's within the next day — that they haven't been forward deployed since the Layette Gulf, but they are the only artillery ammunition support group going into Afghanistan going into Afghanistan and they're replacing all the other units on the ground.

It seems to me, if our premise is correct, that many of us feel that the war on terrorism is not going away and we're going to continue to use the Guard reserve. Certain specially trained units, or short needs, may be facing continuous redeployment, even if you have 60 percent that aren't. Could you elaborate on that, because we need to be able to look at, should we have specially targeted benefits for those who are higher risk, how do we communicate this if you join certain units, because it doesn't seem to be an even deployment risk in the combat zone.

MR. HALL: I certainly would take a couple of them and ask General Blum. You have hit upon the exact problem that we have. As we analyze the force over the past 19 months that I've been there, we have discovered that we have used about 28,000 of our people over and over again, two, three and four times. And that's about 3.3 percent of our force, but they're in specialties like civil affairs, military police, air traffic control, so it is very clear to us that we need to rebalance, and within that 60 percent that we mentioned are many of the specialties that are not required today, and so we have an excess of artillery.

So the services are all committed to rebalancing 100,000 billets and taking the specialties that were targeted towards the cold war that are not used in today's warfare, moving those over, building a bigger base so that we don't have to continually call up the same people all the time. As of this year, we're about halfway there, we have 50,000 billets, 10,000 '03, 20,000 '04 and 20,000 '05. We have another 50,000 to go, and the services are moving as fast they can to convert those kinds of specialties and one of the areas is excess artillery. So we're concerned about that, we want to minimize the stress and we certainly, every time we mobilize the unit, one of the things my office is asked is when were they mobilized before, how long ago, and are there other alternatives that we have rather than remobilize them, either through other services, through a joint solution, so that is always part of that equation, we want to reduce that stress on the force.

With respect to the Humvees, I think you are absolutely right, that the armored ones are the ones that are being left there, and I think it's a question that all the chiefs including General Myers have looked at, if there are not enough, do you want them where the actual combat is going on rather than training? The answer is you'd like them both places, as you know, the industrial base is pushing as hard as it can to get the armored Humvees out, but right now they are kept there so that the people participating in combat can have them.

We certainly would like to have them at the National Training Center and other places, and we're moving towards getting those for training.

REP. SOUDER: I want to clarify something for the record there, because this is important for us, members of the Congress. If somebody, the A.M. General facility that makes the Humvees is at the edge of my district, it's not in my district, but my district is the biggest parts supplier. They can produce more, they can produce 150 more a month now, up-armored. The question is, are we going to allocate the funds to do that, and is the administration going to request it, and that's really what the debate is.

MR. HALL: I certainly take that for the record, sir, that they have that capacity. I don't know whether General Blum has any comments on the Humvees or not.

GEN. BLUM: My comments on the up-armored Humvees would be this. The National Guard has shipped every single up-armored Humvee that was in the United States of America, that we controlled overseas, so that the soldiers that are put in harms way, had the best protection to perform their mission. I don't want to see an up-armored Humvee in the United States of America until every single one that's required overseas in the warfight is delivered into the warfight.

I cannot talk to what AMC can produce, or what the Congress wants to provide in the way of funds and who is going to request that, but I will tell you, the assets that I control, I put the protection of soldiers number one, and I put that protection in theater where they need the protection.

Thank you.

REP. DAVIS: Thank you very much.

Miss Norton?

REP. ELEANOR H. NORTON (D-DC): Thank you, Mr. Chairman.

DC National Guard guardsmen — a trucking company where we lost one man, came home yesterday, we had a big ceremony, I am one of their biggest supporters, a great appreciation for them. I'm going to ask Mr. McHale to help me to get for the District of Columbia what Mr. Pataki indicated in his testimony has been so helpful for him, and I quote from you.

"We need to ensure that that troops activated under Title 32 status remain under the authority and control of the state's governor to ensure maximum flexibility and effective deployment." Now the District of Columbia National Guard comes totally under the President of the United States, as if this were 1800. It's really dangerous today to have a situation in the nation's capital where the kind of flexibility that Mr. Pataki testified to is not even possible here, and I have a bill to put the National Guard under the mayor. And if not to do that, at least this city, which must be target number one in the world, ought to have the kind of flexibility that Mr. Pataki only asked you to work with, with my office to try to get some of that flexibility here in the nation's capital, when more is at stake than the 600,000 people who live here, but the entire Federal presence as well, and where that flexibility is simply not available to us.

My question really goes, however, to the mix. I very much appreciate what you are trying to do with the National Guard. I mean it's almost like zero budgeting, gentlemen. I think you've just got to start all over again, as if the old concept of the militia which is what we've been operating under is just laid aside as we begin again in the world of post 9/11, particularly since I understand that within a few months we may have as many as 40 percent of the National Guard. 40 percent of the troops in Iraq from the National Guard, nobody contemplated that even a year ago.

In Mr. Pataki's testimony, and by the way, the GAO graph showing this escalation of the Army National Guard, nobody believes that these men and women were prepared for this kind of escalation to alert and combat. And in contrast to your testimony, the GAO — and let me read from the GAO, says DOD has not fully defined requirements, readiness standards and readiness measures for the homeland security mission it will lead or support. With regard to readiness, preparedness, specifically for homeland missions is unknown.

Then it says, and this is my concern, they are concerned that continuing deployments reduce the Guard's preparedness and availability for all its homeland security and natural disaster missions. Now Mr. Pataki was brought here this afternoon, he is totally unrepresentative of the governors of the United States at this point, wonderful testimony, but there's no doubt he calls General Blum's name over and over again, there is no doubt that following 9/11, you were careful about what you did with the National Guard in the state of New York.

And I hope that the next time we will have a more typical governor here so that we can really find out what is happening with the governors. At least for example, in neighboring New Jersey, 70 percent of the National Guard has been deployed. In this city, 40 per cent has been deployed, these folks are in Iraq. Now the governor testified proudly since he's been governor, he's been governor for two terms, eight national disasters, he's seen four plane crashes, eleven crippling blizzards, two major wildfires et cetera.

We just had a terrible hurricane, hurricane Isabel. It is very hard for me to believe that we had a representative governor here. He would be able to say, particularly since there's no doubt he would have been given the special consideration that New York was entitled to, that he could handle any disaster that came forward. Now while you — I need to know, particularly in light of what the GAO has said even about the definition of requirements, I need to know, I find it in real contrast with your own testimony. I need to know what we're supposed to do in the home front, when — leave aside the deployment in Iraq, we've got them deployed also for homeland security, and then they're supposed to do the disasters as well.

I still have no understanding of how this in fact is going to occur, how long it will take you to get to this rebalanced National Guard, or how a typical governor is supposed to operate during this period when that governor happens not to be New York State.

MR. MCHALE: Congresswoman, if I may, what I'll do is divide your question in a couple of different parts. A portion of your question falls within the area of responsibility that's been assigned to me, a portion of the question is really within the area of responsibility assigned to Secretary Hall and General Blum. But let me take the part for which I am

accountable.

With regard to the command and control of the DC National Guard, the first part of the comment that you raised, in order to achieve a closer partnership between the Department of Defense and the operational requirement assigned to the DC National Guard, there is an ongoing review not yet completed within the Department of Defense that would consider the possibility of transferring that responsibility from one individual to another.

You correctly noted that ultimately the president of the United States is responsible for the federal missions assigned to the DC National Guard.

REP. NORTON: And for that matter, can nationalize any National Guard?

MR. MCHALE: I'm sorry?

REP. NORTON: And can nationalize any National Guard he wants to?

REP. DAVIS: The gentlelady's time has expired, so answer her question, we need to —

MR. MCHALE: I'll make it very brief, Mr. Chairman. What's underway right now is the possibility of transferring the responsibility from the current executive agent who is the Secretary of the Army and who has had historically the same responsibility with regard to the DC National Guard, that a governor of a state would normally have, with regard to his or her National Guard.

The person or the office that is being considered is a transfer from the secretary of the Army to my office. My office was created by Congress last year. It has overall supervision of all of the homeland defense responsibilities for the Department of Defense, and there is a possibility that that responsibility would transfer from the Secretary of the Army to me or to my successors. I have met with Mayor Williams, I have talked to him about the responsibilities of the DC Guard, we are eager to make that an effective partnership.

Secondly with regard to homeland defense missions, we agree with the GAO assessment, those missions have not yet formally been defined within the necessary documents. However that's because we're new. NORTHCOM is a new capability, my office is brand new. What we have done operationally is define those missions and pursuant to the strategic planning guidance that's been reviewed by the Department of Defense, by June of this year we must develop and publish a comprehensive strategy for homeland defense which in turn will define the requirements that are necessary to support those missions.

Now, frankly, there won't be many surprises. The missions that we will be including are important missions that we have developed during the past two years. The air CAPs that protect our air space, critical infrastructure protection and the involvement in the National Guard in meeting that mission requirement. The CSTs, 32 of which we now have, an additional 23, I believe, are scheduled over the next two years including 12 within the next year.

The missions are well understood by NORTHCOM, many of them are being executed today, and the document reflecting the development of those missions will be published by June of this year.

REP. DAVIS: Thank you very much, let me —

REP. NORTON: Can the other part of my question be answered?

REP. DAVIS: No. The chairman is going to make a comment.

We asked a number of governors to appear including the governor of New Jersey, Ms. Norton. We asked the Democratic governor of Michigan to appear as well. We asked the Democratic governor of Virginia to appear. We would have had a panel, had we had them. I'm very grateful we have Governor Pataki because not only did he have 9/11, he's one of the longest serving governors in the nation, he's had blackouts, he's had transportation, weather issues and everything else, and I think referring him a more typical — I take exception to that statement.

He gave — he came here of his own accord, and I think sitting here and bashing him is really not appropriate.

REP. NORTON: Mr. Chairman, I didn't ask —

REP. DAVIS: The gentleman from Virginia.

REP. NORTON: I'm sorry Mr. — you have made a personal attack on me, Mr. Chairman, I did not bash the governor.

REP. DAVIS: No, I was answering something, Ms. Norton. We gave you five extra minutes —

REP. NORTON: I was simply asking —

REP. DAVIS: The gentlelady from Tennessee.

REP. MARSHA BLACKBURN (R-TN): Thank you, Mr. Chairman.

And thank you to our panel, I appreciate your willingness to come and visit with us on these issues today. The health of the National Guard, the strength of the National Guard is very important to all of us, and I have two questions. My first question I am going to direct to Mr. Hall and General Blum, and then Mr. McHale, I will come to you with my second question. I do want to be brief in consideration of everyone's time.

One of the things that I am very concerned about, Mr. Hall and General Blum, is the 168th out of Lebanon, Tennessee, which is military police. Now, we have talked a lot this morning about predictability, about readiness and the quality of life with the families and Governor Pataki was very forthcoming with what he's doing to address those issues in New York. The 168th out of Lebanon was activated in December '02. They were deployed in June of '03, and they're in the group that just got extended for another 90 to 100 days.

And this is of great concern to us, because of the families that are involved and the length of this deployment. We know that retention and readiness is important but I think that — I'm very concerned for the families of the 168th and how this lengthy deployment does affect them. What I want to know is what you plan to do, if you restructure that will keep that from happening again? Then, Mr. McHale, for your answer, the question I would like for you to answer for me is we look at this restructuring and we talk about having missions that are complementary, mutually reinforcing, the one thing that we've not focused on a lot in this hearing is going forward with the implementation, what the estimated cost of stepping up the readiness, and as we talk about cost, are you look at a five year frame or a ten year frame, have you given an estimate to the restructuring on the increased time and what that increased training time is going to cost us.

The different units, the equipping of these and how — what that cost is going to be, so backing it up, Mr. McHale, I'll ask you to speak to the cost, but first Mr. Hall and General Blum, if you will address the restructuring to keep from happening, what has happened with the 168th?

MR. HALL: We are all very concerned with having to have that extension. We worry about the families. I spent 34 years in the military deployed all the time as an active duty person, and I worried about that family at that point and we are continuing to do that. That decision was made because the combatant commander felt that he needed to have it, and as Secretary Rumsfeld and General Myers said, we have to provide him the force, and so it was a very difficult decision.

We have over 6,000 Guardsmen and Reservists including the ones you mentioned who are involved in the 20,000 both the Guard and the Army Reserve are having town halls meeting with the families, dedicated to every month, reconnecting with the families, trying to help them, give them as much assistance as we possibly can. And what we're doing to prohibit this or to mitigate it for the future is what I mentioned earlier.

We are restructuring, and in this case building more military police battalions, eighteen provisional battalions, I'll let General Blum talk about it, from excess capacity in artillery and others, we want to build a larger base so that we don't have to go back and touch the same groups or extend them, so we're accelerating that re-balancing and building more military police because we know for sure in conflicts in the future, military police are going to be needed, and we need to build a larger base, so that's a major focus point along with civil affairs, and I'll ask General Blum if he has something.

GEN. BLUM: Congresswoman Blackburn, you're exactly right. Nobody liked what happened to the 168th, nobody wanted that to happen. Unfortunately we're in a war where we don't control all of the conditions, and unfortunately they have a special skill set that is in short supply, and was needed a little bit longer in theater to keep the mission in theater from becoming at risk. Those soldiers, because they are so superb, because they are so well-trained, because they have such good situational awareness and have been conditioned to the environment, they are hugely effective and very valuable to the combatant commander on the ground.

The combatant commander asked for a very small number, now you're the one, that is — that number's one too many. If you're the family member, the employer of the service member that's been extended, even one, that's one too many. But it's a very small number of units and National Guardsmen that have been asked to extend beyond the already extended one year boots on the ground policy.

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They will be there as short as possible. I am in communication with the ground commander almost weekly to make sure that they are closely examining the absolute necessity and requirement for the 168th to stay in theater, and they will be released as soon as they can possibly be released. To answer your question directly, how do you keep that from happening again? I have to develop the right kind of capabilities in the right numbers of units distributed across the nation, so that Tennessee doesn't have to pay or bear an unfair burden in the defense of this nation.

And right now we are not set up exactly perfect to optimize our shelf-stockage, to use a civilian term. And I need more shelf stockage of the right kinds of units and capabilities in the right modularity that we are attempting to develop as fast as we can. Now we have converted 18 artillery units from around the country, and this month they will be certified as military police units. And then they will be available to go into the rotational base so that I can get when the 168th comes home, I can look those soldiers, citizen soldiers in the eye and tell them and their families and their employers they will probably not have to face another call up for about five or six years, of the extended duration overseas.

And that's the best I can do, and it's not going to be — I won't that perfect probably for another 24 months, but we will be in a much better position by the end of this month to provide additional MPs into subsequent rotations which means to the 168th they don't have to go back so soon, maybe ever.

REP. DAVIS: Thank you. Gentlelady's time has expired. Thank you very much.

Gentleman from California, Mr. Lantos.

REP. TOM LANTOS (D-CA): Thank you very much, Mr. Chairman.

Before I raise my point, let me express my admiration for the work all of you gentleman are doing. You know we are fully supportive of what you are doing. In the 24 years I have served in this body, I have been in many policy disputes, but I have never had any weird inexplicable dispute with an administration spokesperson that I have in this instance.

So let me try to frame my question with great respect, but in the hope that I will get a straight answer. The National Guard Association of the United States wrote me a letter signed by Richard Alexander, Major General, retired, thanking me for introducing HR13-45.

I will just read a paragraph from this.

"Thousands of Guardsmen and women are currently being called to active duty in support of the ongoing operations in Iraq supporting the global war on terrorism, defense of the homeland, in addition to the multitude of other state and Federal operational missions normally performed. Many members of the National Guard are experiencing financial hardships when they serve their country for extended periods of time due to the difference of income between their civilian and military pay. HR13-45" — which is my legislation — "will help mitigate financial loss by making up the difference between a Guardsman's civilian and military salaries."

Now, Mr. Hall, since you have been the most articulate and vociferous opponent of my legislation, let me ask you to explain something to me which despite my best efforts I am incapable of comprehending you. You and your superiors, all the way up to Secretary Rumsfeld, are full of praise for private companies when they do exactly what my legislation calls for, by the federal government. I have a whole list of quotations from a very large number of important people like yourself showering praise on private companies for doing exactly what my legislation calls for.

Yet, incomprehensibly and illogically, you are vehemently opposed to a legislation which is totally non-partisan in character, and it will help enormously in recruitment, retention, morale, in every conceivable arena that you, as a responsible officer are interested in.

Now please explain to me, how can you praise a private company for voluntarily introducing the precise provision my legislation mandates the federal government to do?

MR. HALL: I will try to be as careful in answering your question as you posed it to me, and I didn't realize I was the most vociferous opponent of your —

REP. LANTOS: You are, sir.

MR. HALL: I didn't know I had that label.

What I try to do is to look upon this issue in a very broad aspect. First of all, I think it's appropriate that we praise those civilian employers who do this. They do not have active duty people in the same foxhole with our Guard and reserve that

they have to worry about. All of the reserve chiefs, as Mr. McHugh has said, have come over and have worried about the comparability of an active duty E4 in a foxhole with a Reserve E4, and do they receive the same Federal pay, and they do.

And I spent, as I said, 34 years of my life in uniform commanding young men and women on the active duty side, and we have to honestly worry about that in the federal government —

REP. LANTOS: Now, may I stop you for a second?

MR. HALL: Yes, sir.

REP. LANTOS: Your logic has already left you, because you are applauding the private employer who pays the salary which makes two people in the same foxhole getting different salaries. So you can't have it both ways. You can't praise private employers for doing exactly what my legislation calls for. I mean with a straight face, you can't tell me this, because it makes no sense.

MR. HALL: Well, I do applaud them and they have their own imperatives and their own system and they have chosen to do that, and —

REP. LANTOS: Why don't you answer my question? You have two people in the same foxhole getting different salaries because General Electric chooses to maintain the salary while the person is on active duty, and you are praising General Electric for creating, presumably, a problem for you.

MR. HALL: I have answered it in that federal pay for that active duty and that Reserve soldier needs to be the same and that it is the same, and that is my lane to worry about. And remember, one third of our Guardsmen and Reservists lose some amount of pay, two-thirds have the same amount, or more. And the average loss, and I know we focus on what is in the newspaper of tremendous bankruptcies, tremendous loss, that is not the case.

It's between \$3,000 and \$4,000. Now, that's an amount of money, we worry about that, but it is not where each and every one of these soldiers are losing their homes and going bankrupt. We worry about that, there are possible solutions such as insurance, but we need to worry about targeting the full range of compensation to those young men and women, and the Guard and Reserve chiefs all together, and the active duty chiefs, have stated their position, that in considering the overall compensation—and I also do not believe this is the major recruiting and retention problem we have this particular pay. There are others that, if we have limited funds, we need to look at.

And I think I've answered it the way I honestly feel based on my background service and my position now.

REP. LANTOS: Well, let me just pursue it a bit, if you'll allow me, Mr. Chairman.

REP. DAVIS: I'll be asking unanimous consent — you can ask unanimous consent to increase your time.

REP. LANTOS: I do.

REP. DAVIS: Any objection to giving the gentleman a couple, two additional minutes? Without objection.

REP. LANTOS: The notion that the current situation hurts only one-third of the people that are serving our country — and that can be dismissed so cavalierly — is absolutely preposterous. We are passing legislation here that helps 1 percent of our population. You are talking about one-third of your manpower or person power which is being hurt by this idiotic policy, it's an idiotic policy. And I'm using the term advisedly. And for you to dismiss it that it impacts only one-third of the people, you need to give me an answer, for you don't give a damn about that one-third?

MR. HALL: I don't dismiss it cavalierly. I've told you how serious I view the compensation for our young men and women, and we look at it in a broad view. I understand yours and I think I've answered it adequately about my concern for our young men and women.

REP. LANTOS: Well, let me for the record state, I think your answer totally lacks logic and internal consistency and is totally unacceptable.

MR. HALL: Yes, sir, I appreciate that, thank you.

REP. DAVIS: I thank the gentleman.

The gentleman from Virginia, Mr. Schrock.

REP. EDWARD L. SCHROCK (R-VA): Thank you, Mr. Chairman, and, Congressman, Admiral, General, General,

thank you for being here today on what is a very difficult subject but a very important one. I think that as a nation we are probably at a crossroads where we must make a choice on what the role of the National Guard is going to be. That choice should be made in the context of the full spectrum of tasks that we expect of the men and women who serve this country in uniform.

I have been to both Iraq and to Afghanistan and I have always returned home and remarked how it was impossible to tell the difference between the Reservists, the Guardsmen, the Guards and the active duty forces. They look the same and they face the same threat. But as leaders charged with funding these troops, with equipping them, with training them and with answering to them and their families when we ask them to go into harms way, we must not fool ourselves that they are the same.

The Marines fighting outside Fallujah right now knew from day one that they were being trained and equipped to some day go in harms way for this country. They represent the finest combat force that this country has ever produced. Before they went to Iraq they were specifically trained and equipped for urban combat. They share a warrior mindset that comes from walking out the door each day in uniform and training for war, and unfortunately we do not always — we are not always able to give our Guardsmen that same level of training before we ask them to deploy to Iraq and other places around the world.

They do not receive that training day in and day out. If they receive the same equipment and training, they receive it at the last minute and often with hand me down equipment previously used by the active component. Their families do not see them walk out of the house each day in uniform and become accustomed to their prolonged absences and the chance that they may someday have to service in an environment such as Iraq.

As a nation we must decide what role the National Guard will be in meeting both our global military commitments and our homeland security needs. I believe that our National Guard is rightfully part of our first responder equation. If we are going to continue to rely on the Guard to comprise 40 percent of our nation's military capability, we have to come to grips with our responsibility to train them, to equip them and to let them know that they are part of the team.

We must ensure that funding levels and that of the authorities in the scope of Title 10 and Title 32, reflect the way that our world has changed in the last three years. We must re-evaluate our own commitment as leaders responsible for this crucial homeland security force, and critical military Reserve force.

That being said, I want to address several questions to you, Secretary McHale, if I might. And I hope the Chair will indulge me because some of it's rather long. The Guard differs from the Reserve components in that it's under the command and control of the states. This positions the Guard for some unique opportunities at the states-Federal nexus. The question, does DOD see the National Guard's unique Title 32 activities such as civil support teams, the counter-drug programs or the airport security missions to be unhelpful distractions, or have these uses of Title 32 been meaningful contributors to the security of the nation?

MR. McHALE: Congressman Schrock, let me emphasize in the strongest possible terms that Title 32 has been of enormous benefit, not only to the department of defense but to the nation. There are three categories in which the Guard may be employed, in state status where at state expense, under command and control of the governor, the Guard executes the missions that are assigned to it by the governor. At the other end of the spectrum you've got Title 10, where the National Guard is brought to federal service, paid for as federal expense and under command and control of the president of the United States and the secretary of Defense.

Title 32 is an excellent very flexible middle ground which produces tremendous utility. The expense of Title 32 is paid for by the Department of Defense by the federal government, but in Title 32 status, National Guardsmen are exempt from posse comitatus, so they can engage in missions that are very close to law enforcement activities, missions that would be precluded for Title 10 forces. The expense as I said is carried by the federal government, but we have flexibility in terms of command and control by the governor.

If anything, where we are at, at this point, is the Department of Defense is actively reviewing the tremendous benefit of Title 32 to determine whether or not that training status needs to be expanded in the context of the global war on terrorism for an increased number of missions in that Title 32 status, because it has proven to be so beneficial.

REP. SCHROCK: Okay, then we go to the last question because you talked about Title 32 — how soon might we expect the DOD to send to Congress a proposal to revise Title 32 and particularly the language about training this in section 502F I think this is.

MR. McHALE: As you point out, Title 32 status involves National Guardsmen who are on active duty, performing specific missions that often have been statutorily assigned. We have 32 civil support teams, we'll have 12 more this year, and presumably 11 more after that, based upon the assumptions the Congress will provide the funding for the final 11.

In Title 32 status, we have those forces immediately available at federal expense, exempt from posse comitatus, under command and control by the governor. I mentioned earlier in response to Congresswoman Norton that we are preparing a comprehensive, really I think a historic, homeland defense strategy that will be completed by June 30th, 2004. I don't want to assume that we will necessarily ask for a statutory revision of Title 32, but by the end of June we will know whether or not such a revision would be appropriate, and frankly because Title 32 is a training status, in the context of the global war on terrorism, we need to take a very serious look at expanding Title 32, to cover additional operational missions.

REP. SCHROCK: So some time around —

MR McHALE: I would think by the middle of summer, if in fact we request a change in Title 32, we would know by the middle of summer whether such a change would be required. I don't want to preclude an ongoing review, but certainly at this point it appears to me as if Title 32 would be appropriate review, to include in the future not only training missions, but operational missions and specifically the mission that I envision as being central to the future of the National Guard and homeland defense missions, and that is critical infrastructure protection.

REP. SCHROCK: Right.

MR McHALE: The use of National Guard potentially in Title 32 to defend the critical infrastructure in an operational role within our own country.

REP. SCHROCK: Mr. Chairman do you mind if I continue for a minute?

REP. DAVIS: I ask unanimous consent to give the gentleman two additional minutes.

REP. SCHROCK: Thank you.

Paul, this question is about the possibility of similar operations in the future. The airport security mission was performed under Title 32, the federal government provided the money, the states executed the mission. This seems to have been a success, but subsequently there was a need to use the Guard for border security and of course for that mission the Guard was taken out of the state control under Title 32 and mobilized to Federal duty under Title 10.

Does this reflect an intent by DOD to tend towards federal mobilization as the best way to use the Guard for domestic requirements or might such future requirements be evaluated on a case by case basis for execution under Title 32 or Title 10 as this situation would demand at the time?

MR McHALE: The secretary of Defense has in the past indicated a preference for the use of National Guard forces including in Title 32 status, rather than the necessary used because of a lack of an alternative, Title 10 forces for the same missions. In short, if there is a clear mission requirement and we have the choice between using Title 10 forces or National Guard forces, particularly for those missions that are related to counter-narcotics and the support that we provide to civilian law enforcement along the borders, the preferred course of action is to use the National Guard while preserving our Title 10 capabilities for overseas warfighting.

And that's why as we look at the emerging mission requirements in the context of the global war on terrorism, there will be more, not less, for the Guard to do including mission assignments and Title 32 status.

REP. SCHROCK: Thank you, Mr. Chairman, I know my time is up. I'd like to submit two other questions to Secretary McHale for the record.

REP. DAVIS: We'd be happy to keep the record open for that, thank you very much.

Mr. Ruppersberger.

REP. C. A. DUTCH RUPPERSBERGER (D-MD): Well, you all have a very difficult job, and I think that you've done a great job, but we can always do better and that's what we're talking about here today. Whenever something — in this country when people feel that something is wrong, it's an issue and as members of Congress, that's why I think you're getting a lot of the questioning on how long someone's going to be in Iraq or Afghanistan or whatever.

What I would like to really discuss right now is the short term. General Blum, you said, and I think so far from what I see, I think your playing the full spectrum force looks pretty good to me, but you said it would be about 24 months I believe before it's really implemented, and eventually this plan will reduce the burden on those already deployed and it would also give some sense of a plan and a commitment on how long they're going to be.

I think one of the worst things you can do for anybody is raise expectations and then take those expectations away. But if we're in a war, we have to do what we have to do, and that's what's happening now. Could you please tell us what you need now? I mean Congress is in session now, until probably next November, December, whatever. What would you like to see on the short term to help the troops on the ground and their families and their employers. What do we need, and really what we're talking about is resources which means money, which means we have to encourage the administration to maybe reprioritize to do something on the short term.

I'd like to hear short term solutions based on what you've seen now as far as deployment, as far as dealing with families, all those issues that it might help?

GEN. BLUM: Well the first thing I'd like to tell you, Congressman Ruppertsberger, is the continued, strong, solid, unswerving support for these citizen soldiers and airmen, the young men and women in uniform separating differences from what is going on and how it's being prosecuted and if you like, the way it's being done or the techniques that are being applied, separating that from the solid support to the uniformed service members that are answering the call to colors. I'd like the Congress to continue that strong solid support.

And it is very, very critical in an all-volunteer all-recruited force that a strong message of support from both parties, from both Houses, from all elected officials, be clearly understood that the service to our nation is something that is honorable, it is necessary and is something that should be very, very — we all should be very, very proud of and in support of.

So that is the first thing that I would ask the Congress to be very careful in their discussions and deliberations, to consider the eroding effect that it has on the morale of soldiers that are deployed longer than they would like to be, away from their families longer than they would choose to be, and putting their career, education and lives, frankly at risk to —

REP. RUPPERSBERGER: In that regard, when I was in Iraq, I had a conversation with a member of the Maryland National Guard, and he said with all the political rhetoric we hear, people back home aren't mad at us, are they? That's an important, that's —

GEN. BLUM: That's precisely the question that I don't want to have in their minds when they're walking the streets to police —

REP. RUPPERSBERGER: I want to get to specifics so that we can help you —

GEN. BLUM: Well, the specifics are — if I could get the specifics for you and I'll be glad to leave them for you for the record, because in the interests of time, it would probably be the better way to do it, I'll provide you that. But if you put up that chart that talks about the strategic reserve moving to an operational force, everything on the left side of this chart that's about to go up there in the — that is listed under a strategic reserve is what is wrong with the National Guard and Reserve components today.

They were resourced wrong for today, they were resourced exactly right for the time before September 11. But they are not right for today.

REP. RUPPERSBERGER: Resource meaning money?

GEN. BLUM: Resourcing meaning money for training —

REP. RUPPERSBERGER: Do you have a money figure based on —

GEN. BLUM: I'll provide that for you sir for the record. And it's money for training soldiers, to reclassify them from what they are now to what they need to be, to retrain them for the skill sets we need for tomorrow, not what we needed for yesterday, it is money for equipment that we do not have, we were never equipped to be an operational force, so we're always cross-leveling. Each time you cross-level, you lessen what's left in the pot, and cross-leveling becomes more and more difficult.

And then the last thing we need — and the most importantly — is we need full-time manning because it is clearly a

readiness issue.

REP. RUPPERSBERGER: Right.

GEN. BLUM: And if you're going to use the Guard and Reserve as an operational force, you must have the right combination of full-time soldiers matching up with part-time soldiers. And that is clearly out of balance for today, and it needs addressing.

REP. RUPPERSBERGER: Mr. Chairman, may I have one more minute?

REP. DAVIS: Without objection.

REP. RUPPERSBERGER: Very quickly, there's an article in the Sun paper today — and I'm sure throughout the country — that U.S. Reservists accused of prisoner abuse, and in — I'm quoting in the Sun paper article written by Tom Bowman (sp) and Sabar (sp) — and this is one of the individuals who has been charged, the allegation is that they were abusing prisoners. And by the way, if there's criminal conduct we have to deal with it, like we deal with anyone else and we cannot tolerate it.

However, there are a lot of gray areas when you're at war, and this — one of these individuals said that he — "We had no support, no training whatsoever." They were in a prison camp — "and I kept asking my chain of command for certain things like rules and regulations. Another individual said, "I understand they usually don't allow others to watch them interrogate (had a rule about?) interrogation, but we had no rules, no training." The attorney for one of the individuals told 60 Minutes, too, that the soldiers never had been charged because of the failure of commanders to provide proper training and standards.

What I'm getting to really is that you have men and women in the National Guard who are being put in the same situation in the career, we know that, and if they don't have the proper command structure, and then they don't have the training, and they're in a situation where they might believe that they're at war and they're attempting to do what they need to do — I'd like you to address the issue as it relates to you know, as it relates to these men and women, and whether or not, and not specifically because you can't talk about it, it's a trial, but about that type of training, when you're put in that situation, when all of a sudden you're back at home and you're doing your weekend duty and then all of a sudden you find yourself in a prison and now you have six individuals that who are being charged that are saying that they didn't know what to do, they didn't have their proper training.

GEN. BLUM: I will not address that specific incidence because it's under investigation and if I could —

REP. RUPPERSBERGER: I understand that. My issue is the issue of —

GEN. BLUM: But I will talk on the broad issue there. And I believe what I'm about to tell you to the core of my being. We have never, as a nation, sent a force of soldiers overseas that are trained, that are prepared, that are equipped, that are led with better values and clearly established standards than we have sent these soldiers that are over there right now. And I believe that deep in my heart to the core of my being. I've gone and watched this training, I've participated in training, I've been the product of the training. I have visited every single major unit that has been prepared before it was sent to Iraq and Afghanistan, and I have visited those same units in theater once they're there. And I stand on the record of that.

Now, will you find some soldier who may not live up to the standards and the training that they received? That's possible. And that may be happening or may not be happening in this case, and that's why it's being investigated.

REP. RUPPERSBERGER: Well, in this and other cases, we have to evaluate to make sure that it's not training and it is actually criminal conduct. But I think it's important when we — there are a lot of gray areas and we're at war. It's very, very important that we deal with the issue of training.

Thank you, Mr. Chairman.

REP. DAVIS: Thank you, sir.

Mr. Shays.

REP. SHAYS: Thank you.

I want to first say, I have tremendous admiration for all of you, and all of you have very excellent reputations. And

I would say to my colleague, Mr. McHale, that I considered him one of the finest members of Congress to serve, as I've served here, and I think it's a real blessing that you're working for the administration and for our country. When I was last in Iraq, and this was my fifth visit with my staff, I recently — in my capacity of chairman of the National Security Subcommittee, which oversees Defense and State Department.

I visited Bravo Company first of the 252nd Armor Brigade, commanded by Captain Sean Moser (sp). This North Carolinian National Guard unit is helping secure the city of Khanaqin in northeast Iraq. I just want to say for the record, that these soldiers of B Company are doing a superb job.

But having said that, I want to say to you that the military has never made it easy for us to go and visit Iraq. And when we go, we learn things. And I believe that Congress has not done the proper oversight job. If you had ever told me that we would send troops without proper body armament, I would have been amazed — but we did, General.

If you had told me we would have sent them in Humvees that didn't have proper protection, I would have been amazed, but we did, because in that company we saw one Humvee modified by a kit, one modified by the soldiers in country, and one not even modified. And then we had the basic briefing that there were caches of weapons throughout the eastern part of Iraq, pre-deployed. They are constantly uncovering them. Then we had a three-hour briefing in Baghdad showing us how they make these weapons.

And I just want to say to you as well, General Blum, I know these are the best trained military, but I also know firsthand, and in the soul of my being, just as you would say, I had Army personnel tell us they were being asked to do things they were never ever trained for. And that's a fact. And it didn't happen once, it didn't happen twice, it happened continually.

And for me I didn't even know about the inadequacy of our Humvees until I had a community meeting in Oxford, Connecticut, and I had two moms show me letters from their National Guard sons, showing us the Humvees that were not in any way with a kit, improvised or not.

So I just want to put that on the record. We're doing the best we can do, but it is a surprise to me that when I sent our men and women off to war I sent them, in some cases, without the best equipment.

And I believe it's the National Guard and Reservists who are last on the food chain. And I would like to think that in the future, it will never happen again.

And I know you make the best of what you can do, but for me I thought my job was to make sure it was never a fair fight. And I think that in some cases I've put our men and women in jeopardy.

And I think we have to just say it and then deal with it — not to mention the pay problems and the benefit problems and the healthcare problems that exist for our Reservists and National Guard.

I want to understand — and the other thing I want to say — and I'm sorry the preface is so long. But having visited bases all throughout the country in previous years, I praise God I did, because you all told us the people you have to get to sign up is not the soldier, it's the spouse of the soldier. And if we talk about having them be gone every four or five years, I am going to be very surprised if we aren't going to lose a lot of good men and women. And not to mention our soldiers being forced to take anthrax against their will, not reenlisting, which affects the Air Force, General Love.

So having said that, tell me why it isn't harder to be a National Guard and Reservist, given that you've got to be trained to fight and hopefully do your job extraordinarily well and defend yourself and make sure you come home to your loved ones. Tell me why this isn't a harder job than the active forces because you also have to be trained to do work under Title 32 for the states. I think it is a tougher job than the active forces.

Tell me it's no different or tell me, in fact, is it harder.

GEN. BLUM: It's harder, sir. It's been harder for 367 years. It hasn't gotten any easier. Nobody said it was going to be easy. Nobody said it was going to be fair.

REP. SHAYS: We've made it harder, though?

GEN. BLUM: That chart tells the story. It is not because of anybody's evil intent.

REP. SHAYS: No, I understand that.

GEN. BLUM: Most of the policies, most of the laws that have caused the pay problems, the lack of healthcare, the lack of properly equipping the United States Army and Air National Guard, properly resourcing them of full-time manning and enough money to train and operate —

REP. SHAYS: Excuse me. Could I ask unanimous consent just to have two more minutes, Mr. Chairman?

REP. DAVIS: Any objection? Without objection.

REP. SHAYS: Thank you. I'm sorry.

GEN. BLUM: Absolutely.

All of those things are true. But they are not by accident, they're by design. We were supposed to be a strategic reserve. We did a superb job as a strategic reserve. We were a great deterrent force against the Russians in the Warsaw Pact. That's no longer our threat.

We now need to be an operational force, and you need, sir — Congress needs to reevaluate the benefits, the entitlements, the pay, the resourcing, the equipping, and the full-time manning issues of the Army and Air Guard, or we can't be an operational force the way you would like it to be.

REP. SHAYS: But to say they've always had a harder job, I think it is many-fold harder today because of September 11th. And the responsibilities, they have to train for terrorist attacks which we weren't really focused on in the past.

GEN. BLUM: Vice Chairman Shays, we're in violent agreement. I agree with you. It's a tough job, but it's an essential and necessary job if we're going to defend this nation.

REP. SHAYS: I'm not going to argue with that. But a few years ago we also decided they're going to be part of the force structure in a very primary way. And, you know, I feel like in a way this is a debate we did not have before we sent them to Iraq. And I have a bit of concern that it has not turned out quite the way we had hoped.

GEN. BLUM: There may —

REP. SHAYS: I just want to make my point.

And I want to ask, Major General Love, for you to respond as well.

GEN. BLUM: Before he does, I just want to finish my point, if I may.

I personally and professionally feel — I'm under oath and I have an obligation when asked by the Congress to tell how I really feel about this, and I would like to do that. I personally and professionally feel this nation should never go to war without the National Guard. When you call up the National Guard, you call up America, and we should never ever send a force overseas that Congress or this nation can walk away from.

REP. SHAYS: I only have two minutes left. I hear what you're saying and I'm not disagreeing with it, but what I'm saying is they were the last in the food chain. I know that for a fact. And yet they're being asked to do a harder job, in my judgment, than the active force.

I just would love you, General Love —

GEN. BLUM: But for the record, sir, they are not last in the food chain. The 30th, the 39th to 81st that have just gone to Iraq were first in the food chain. They got body armor before the active Army. They've got up-armored Humvees before the active Army.

REP. SHAYS: General, I'm going to say this as clearly as I can. I know this for a fact, when we — the hand-me-downs of aircraft and so on, they usually get some equipment that has already been used by the active forces, and that's a fact. You and I know it's true.

General. And then I yield.

GEN. LOVE: Congressman, thank you. And as a preface, if I may, I would say that I was invited here today to speak on behalf of NORTHCOM. And so, if I may, I will answer your question from personal experience, rather than in my role as the assistant commander of NORTHCOM.

And I think a review of my personal experience in the Air National Guard would indicate that the Air National Guard

was asked to become an operational reserve immediately following the first Gulf War. And it had the period of the '90s in which to bring itself up to the status of a participant, an equal participant, in the Air Expeditionary Forces.

Yes, there were some equipment shortfalls, and yes, there may not have been the most modern current equipment within the Air National Guard. But whether it was in the transportation business or in the fighter business, I'm proud to say that the Air National Guard carried its role and the Congress supported it when it asked for support to assist us in doing so.

REP. SHAYS: Thank you, Mr. Chairman.

The men and women in the National Guard and Reserves are doing an awesome job, and I thank them for that.

REP. DAVIS: Thank you. I've just got a couple of questions.

General Blum, nobody's really asked today what we can do here in Congress to help the Guard carry out its missions. Is there any legislation or authorizations that would be helpful, along the vision that you have given us?

GEN. BLUM: Well, based on most of the comment that is going on here today and Governor Pataki's earlier comment: unambiguous, clear legislative authority for the operational use of Title 32, I think, would be highly helpful for both the Department of Defense and the National Guard so that we can know how we're going to respond to the governors and to the president in the myriad conditions that we're asked to respond.

Right now, the ambiguity of the current code leaves it much too subject to interpretation, and it is built — actually, that code was built again for a strategic force, not an operational force to be — in being in a — combating of global war on terrorism. So, sir, I would say that would be first and foremost.

REP. DAVIS: Thank you.

General Love, let me just ask. I know that NORTHCOM just conducted two very large-scale annual training exercises, called the Unified Defense, that included scenarios from protecting the homeland under simultaneous attacks. Can you tell us a little about the exercise, who participated, and any lessons we learned?

GEN. LOVE: You're right, sir. It was Unified Defense. The exercises perhaps you're referring to was Determined Promise '03, which occurred last August, and Unified Defense '04. And yes, sir, you're correct as well in saying that we engaged our forces in multiple places, responding, as Secretary McHale pointed out earlier today, to the anticipated attack on this country by our enemies in a number of places at the same time.

The lessons we learned from that were very good and sometimes very painful, and that is that we did not have command and control that we perhaps needed. We didn't have the exercising that we perhaps needed. But that is examined in the light of the fact that we wouldn't exercise if we didn't want to learn those lessons. And NORTHCOM is just barely — not quite 18 months old.

Is that responsive, sir?

REP. DAVIS: That's fine. Let me just thank this panel. There's always an tendency in the military and politics and everything else to fight the last war, and nobody does the last war better than we do. If you look at the conventional war we did in Iraq, nobody does it better. You drive through Baghdad and there are heaps of rubble that were military installations, defense installations next to residential buildings that weren't touched. But there's the aftermath that obviously we weren't prepared for. No one envisioned this.

General, I'm glad to see your vision now is looking at these kind of things. Continue indeed to look outside the box because it may be a little more complicated in our next area of operations. Who knows? We just need you to continue to have these conversations with us and the other appropriate committees.

This hearing's been very helpful to all of us. We appreciate you taking the time. Paul, it's just great to have you back here on the other side. Got a lot of confidence in you and a lot of respect from your days in the House.

Anything else anyone wants to add?

MR. HALL: Mr. Chairman, might I have about 30 seconds —

REP. DAVIS: Yes, you may.

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MR. HALL: — because the question you asked General Blum about things you might do: We have a number of rules which don't cost a lot of money but are rules for our Guardsmen and Reservists that go back to the Cold War, which does not contribute to a continuous service, and we passed those over. We would appreciate you looking at them, such as voluntary auxiliaries. The single biggest source of manpower that we have not tapped, our retirees. And I have a vast amount of retirees call and ask, can I serve? They're around our bases. We would like authority to form voluntary auxiliaries to use those retired population in the country which can relieve the stress on our Guard and Reserve.

Many of our rules, which if you serve more than 179 days, we count you on active duty list for promotion, the strength accounting. So there are a number of those rules which I think we need to take care of which are not costly but would make service easier for our Guardsmen and Reservists. Those are submitted and we would ask, if they make sense, that the committee look at them to support them.

REP. DAVIS: Thank you. Have you also submitted those to Duncan Hunter and his Armed Services?

MR. HALL: We have. And we think it will help our young men and women and not cost a lot of money.

MR. McHALE: Mr. Chairman?

REP. DAVIS: Sure.

MR. McHALE: If I may, just a brief closing comment.

I would hope that it was clear in my opening statement and perhaps in some of the answers to the questions raised by the members that during the past two years since September the 11th, we have very substantially reviewed, revised and strengthened our homeland defense capabilities. And that's not rhetoric. Those are deliverable, operational capabilities on a daily basis. We fly air combat air patrols that were not being flown, prior to September the 11th. We have Army and Marine units on alert for deployment within our own country to defend against a ground attack.

And most importantly, we have and are developing at a higher level, the ability to respond to multiple, near-simultaneous WMD attacks within our own country. We have not had that capability historically. We have it now and it's getting better every day.

REP. DAVIS: Thank you very much. And let me associate myself with Mr. Lantos' remarks at the beginning, where he said we really appreciate and respect the job you're doing, and of course, the men and women in uniform that you represent.

Thank you very much.

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